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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Surendra N. Naidoo, et al. Group Art Unit: 2483 Applicants:

Examiner: Vo, Tung T. Serial No.: 09/954.976

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CERTIFICATE OF FILING

Pursuant to 37 C.F.R. §1.8, I hereby certify that this correspondence is being electronically submitted to the U.S. Patent and Trademark Office website, www.uspto.gov, on January 6, 2011.

Barbara Thompson

REPLY BRIEF

This Reply Brief is filed in response to the Examiner's Answer mailed on November 8, 2010, and in support of the appeal in the above referenced application. Appellants authorize any required fees under 37 C.F.R. §1.17 to be charged to the Deposit Account No. 50-1515 of Conley Rose, P.C. of Texas.

Reply to Examiner's Answer

This Reply Brief is respectfully submitted in response to the Examiner's Answer. Since the arguments set forth in the Examiner's Answer appear to be cut-and-pasted from the final office action, Appellants feel that the original Appeal Brief effectively addresses the substance of the rejections. Therefore, Appellants respectfully reaffirm their position as stated in the Appeal Brief and, in response to the Examiner's Answer, submit this Reply Brief merely as a supplement to the Appeal Brief.

"The examiner bears the initial burden of factually supporting any prima facie conclusion of obviousness." MPEP 2142. As shown in detail in the Appeal Brief, a closer reading of the cited prior art reveals that the cited references do not even disclose all of the required elements of the claimed invention. Accordingly, the Examiner has not carried the burden of providing a prima facie showing of obviousness. Appellants therefore respectfully request that the rejections be overruled, and that the application now move to immediate allowance.

CONCLUSION

In view of the arguments set forth above and in the Appeal Brief, the Appellants respectfully request that the final rejection of the claims be reversed and that the case advance to issue. Should the Examiner feel that a telephone conference would advance prosecution of the present application, the Appellants invite the Examiner to telephone the undersigned at the telephone number given below.

The Commissioner is hereby authorized to charge payment of any further fees associated with any of the foregoing papers submitted herewith, or to credit any overpayment thereof, to Deposit Account Number 50-1515 of Conley Rose, P.C., Plano, Texas.

Respectfully submitted,

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Date: January 6, 2011

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